

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

NATHANIEL O'NEIL RICHARDS

PLAINTIFF

V.

CIVIL ACTION NO. 3:13CV160 DPJ-FKB

TYRONE LEWIS AND  
UNKNOWN BRUMFIELD

DEFENDANTS

ORDER

This § 1983 action is before the Court on the Report and Recommendation [25] of Magistrate F. Keith Ball. On October 31, 2013, notice of an omnibus hearing was mailed to Plaintiff at his last known address. The notice was returned undeliverable. The Court has repeatedly warned Plaintiff that failure to keep the Court apprised of his address could result in dismissal.

As a result, on December 26, 2013, Judge Ball recommended [25] dismissal without prejudice for failure to prosecute. The Report and Recommendation was likewise returned as undeliverable.

Accordingly, the Court finds that the unopposed Report and Recommendation [25] should be adopted as the opinion of the Court. This action is dismissed without prejudice.

A separate judgment will be entered.

**SO ORDERED AND ADJUDGED** this the 15<sup>th</sup> day of January, 2014.

s/ Daniel P. Jordan III  
UNITED STATES DISTRICT JUDGE